

State of South Dakota

EIGHTY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2006

717M0146

HOUSE BILL NO. 1001

Introduced by: The Committee on Local Government at the request of the Office of the
Secretary of State

1 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning election procedures.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 9-13-14.1 be amended to read as follows:

4 9-13-14.1. If a vacancy exists on a municipal governing body, the remaining members shall
5 appoint a replacement to serve until the next annual municipal election, or the vacancy may be
6 filled by special election for the remainder of the unexpired term as provided in § 9-13-14.2. In
7 the aldermanic form of municipal government, the appointment must be a person from the same
8 ward of the first or second class municipality. ~~No special election may be held to fill a vacancy~~
9 ~~before the date of the annual municipal election, except as provided in § 9-13-14.2.~~

10 Section 2. That § 12-16-25 be amended to read as follows:

11 12-16-25. A member of the precinct election board may post no less than one of the
12 instruction cards in each booth or compartment provided for the voting of ballots and not less
13 than ~~three~~ two of the instruction ~~cards~~ posters elsewhere in and about the polling place upon the
14 day of election.

15 Section 3. That § 12-20-13.1 be amended to read as follows:



1 12-20-13.1. ~~Each county auditor~~ The person in charge of the election shall decide if the
2 provisional ballots are to be counted by hand or by automated tabulating equipment. If a
3 decision is made to count the ballots by hand, a provisional ballot counting board shall be
4 appointed as provided in § 12-15-1. If the provisional ballots are to be counted by automated
5 tabulating equipment, a resolution board and tabulation machine operators shall be appointed
6 as provided in chapter 12-17B.

7 Section 4. That § 12-20-13.3 be amended to read as follows:

8 12-20-13.3. ~~The county auditor~~ person in charge of the election may establish an alternative
9 time prior to the official canvass for provisional ballot counting provided that notice of the time
10 and location is given to the county party chairperson of each political party for primary,
11 secondary, and general elections and to each candidate for any other election.

12 Section 5. That § 12-20-36 be amended to read as follows:

13 12-20-36. Within ~~three~~ six calendar days after the close of any election, the officer in charge
14 of the election, with the assistance of a majority of the governing board as the canvassing board,
15 shall make the canvass of votes. Each member of the governing board may name and have on
16 file with the officer in charge of the election a person to represent the member at the official
17 canvass in the event of the member's absence for cause.

18 Section 6. That § 12-21-6 be amended to read as follows:

19 12-21-6. Except in school and municipal elections and as provided in § 12-21-18, the
20 provisions of this chapter apply to the recount of ballots cast in any election conducted. The
21 provisions of §§ 12-21-47 to 12-21-61, inclusive, apply to all elections.

22 Section 7. That § 11-2-44 be amended to read as follows:

23 11-2-44. At all elections held under this chapter, the polls shall be kept open from ~~eight~~
24 ~~o'clock in the forenoon until seven o'clock in the afternoon~~ 7:00 a.m. until 7:00 p.m.

1 Section 8. That § 46A-10A-52 be amended to read as follows:

2 46A-10A-52. At any election to establish a coordinated drainage area held under this
3 chapter, the polls shall be kept open from ~~eight o'clock in the forenoon until seven o'clock in the~~
4 ~~afternoon~~ 7:00 a.m. until 7:00 p.m. The county shall bear the costs of the election.